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ANTHONY H. HANDAL
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP
599 LEXINGTON AVENUE
33RD FLOOR
NEW YORK, NY 10022-6030

EXAMINER

AKLILU, KIRUBEL

ART UNIT PAPER NUMBER

2614

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/840,283

Applicant(s)

STILIADIS, NICHOLAS

Examiner

Kirubel Aklilu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/20/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1-3, 5-9, 12-14, and 17-22** are rejected under 35 U.S.C. 102(b) as being anticipated by Bernard et al. (U.S. Patent # 5,918,213).

1. As for **Claim 1**, Bernard et al. teach a method of marketing and distributing multimedia (see col. 3 lines 8-29 "The present invention is directed toward an automated product purchasing and previewing system which allows customers to shop for and purchase products via a remote communications medium in an automated fashion . . . For example, in one embodiment, music, videos, computer software, and other multimedia products are offered for sale by the automated product purchasing system."), the method comprising:

a. receiving multimedia material from a producer or owner of said material (see col. 3 lines 30-32 "where the product is movies, the purchaser can select a particular movie to preview before actually purchasing or renting the movie.");

b. storing said material on a computer readable storage medium (see col. 5 lines 16-22 "The system stores important information such as customer information, order

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information pertaining to the customer's order, and product information. The product information can include texts describing the products and their features, and **samples of the products such as music samples, video samples, and other samples as appropriate depending on the product.**" It is interpreted that these multimedia material are stored on a computer readable storage medium);

c. providing a server system accessible over a communication network, said server system accessing data from said computer readable storage medium for transfer over said communication network (see col. 3 lines 14-18 "According to the invention, customers access the automated system and browse through the selections offered. This access can be achieved by any remote communications medium such as the telephone, a direct data link, a network connection (e.g., the Internet), and other communications means." The limitation of the server system is met by the automated system that uses a network connection such as the Internet to access samples of multimedia data to transfer to potential customers.);

d. providing samples over said server system of said multimedia material to potential purchasers (see col. 3 lines 26-28 "users can sample portions of selected titles to determine whether or not it is a product that they would actually like to rent or purchase.");

e. downloading upon request over said server system said multimedia material (see col. 3 lines 30-36 "a sample portion of the movie, or an actual preview, is provided to the customer for his or her sampling. Where the customer is connected by a suitable medium (such as the Internet, for example), actual movie clips can be provided."); and

f. providing advertising material to purchasers over said communication network allowing purchasers to locally market and sell said multimedia material (see col. 3 lines 24-28 "For example, in one embodiment, music, videos, computer software, and other multimedia products are offered for sale by the automated product purchasing system. In this embodiment, users can sample portions of selected titles to determine whether or not it is a product that they would actually like to rent or purchase." The sample multimedia presented to the users is interpreted to be advertising material provided to users).

2. As for **Claim 2**, Bernard et al. teach receiving multimedia material by downloading via said communication network (see col. 3 lines 30-36 "a sample portion of the movie, or an actual preview, is provided to the customer for his or her sampling. Where the customer is connected by a suitable medium (such as the Internet, for example), actual movie clips can be provided." When sample portion of movie is provided to a user via the Internet, it is interpreted that the multimedia material is downloaded to the user.).

3. As for **Claim 3**, Bernard et al. teach receiving multimedia material includes receiving non-digital media such as audio tape (see col. 13 lines 36-39 "The above description outlined various features and functions of the purchasing system in terms of an embodiment where the product offered is music (albums, CDS, cassettes, etc.)." The multimedia material is audio music and it is received in non-digital media such as audio tape (cassettes)).

4. As for **Claim 5**, Bernard et al. teach providing a server system accessible over a public communication system (see col. 3 lines 14-18 "According to the invention, customers access the automated system and browse through the selections offered. This access can be achieved by any remote communications medium such as the telephone, a direct data link, a network connection (e.g., the Internet), and other communications means." The limitation of the server system is met by the automated system that uses a network connection such as the Internet to access samples of multimedia data to transfer to potential customers and the Internet is interpreted to be a public communication network).

5. As for **Claim 6**, Bernard et al. teach downloading digital material from said server system for digital display to an audience (see col. 13 lines 43-45 "the system lends itself particularly well to the sale of products such as videos (movies and movie rental, video-on-demand, educational programming, etc.), video games, computer software and other multi-media products." The computer software is inherently a digital material that is downloaded over the server for digital display to an audience.)

6. As for **Claim 7**, Bernard et al. teach providing downloadable advertising materials on said sever system (see col. 3 lines 30-36 "a sample portion of the movie, or an actual preview, is provided to the customer for his or her sampling. Where the customer is connected by a suitable medium (such as the Internet, for example), actual movie clips

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can be provided.” When sample portion of movie is provided to a user via the Internet, it is interpreted that downloadable advertising material is provided over said server.)

7. As for **Claim 8**, Bernard et al. teach providing sales and marketing data based upon visitors to said server system (see col. 3 lines 14-18 “According to the invention, customers access the automated system and browse through the selections offered. This access can be achieved by any remote communications medium such as the telephone, a direct data link, a network connection (e.g., the Internet), and other communications means.” The customers that access the automated system are interpreted to be visitors to the server system).

8. As for **Claim 9**, Bernard et al. teach providing marketing data based upon actual users of said server system (see col. 3 lines 14-18 “According to the invention, customers access the automated system and browse through the selections offered. This access can be achieved by any remote communications medium such as the telephone, a direct data link, a network connection (e.g., the Internet), and other communications means.” The customers that access the automated system are interpreted to be actual users to the server system because the customers are using the server system as they are accessing it.)

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9. As for **Claim 12**, Bernard et al. teach a method of marketing and distributing multimedia, the method comprising:

a. receiving multimedia material from a producer or owner of said material (see col. 3 lines 30-32 "where the product is movies, the purchaser can select a particular movie to preview before actually purchasing or renting the movie.");

b. storing said material on a computer readable storage medium (see col. 5 lines 16-22 "The system stores important information such as customer information, order information pertaining to the customer's order, and product information. The product information can include texts describing the products and their features, and **samples of the products such as music samples, video samples, and other samples as appropriate depending on the product.**" It is interpreted that these multimedia material are stored on a computer readable storage medium);

c. providing a server system accessible over a communication network, said server system accessing data from said computer readable storage medium for transfer over said communication network (see col. 3 lines 14-18 "According to the invention, customers access the automated system and browse through the selections offered. This access can be achieved by any remote communications medium such as the telephone, a direct data link, a network connection (e.g., the Internet), and other communications means." The limitation of the server system is met by the automated system that uses a network connection such as the Internet to access samples of multimedia data to transfer to potential customers.);

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d. establishing an account for a customer (col. 23 lines 39-42 "or embodiments using Internet or other data access, the establishment of a membership account can be done in a wholly automated fashion without need for a representative to speak to customer 182.");

e. downloading a product upon request from said customer for said product over said server system said multimedia material (see col. 3 lines 30-36 "a sample portion of the movie, or an actual preview, is provided to the customer for his or her sampling. Where the customer is connected by a suitable medium (such as the Internet, for example), actual movie clips can be provided.");

f. following up to determine information necessary to calculate the amount owed by said customer for said product (see col. 30 lines 23-34 "Interactive transaction database 112 also maintains order information. Order information is simply a list of all the titles ordered by the caller 182. Order information preferably also includes an identification of the caller 182 such as the caller's ANI or the caller's membership number. Each time caller 182 indicates that he or she wishes to purchase a title, the catalog ID number for that title is appended to that caller's order information. If caller 182 later decides that he or she does not wish to purchase that title, that catalog ID number 1008 can be deleted from the order information list." The order information is interpreted to be information necessary to calculate the amount owed by a customer for a product); and

g. charging the account of said customer (see col. 27 lines 3-12 "In a step 814, the automated product purchasing system makes the appropriate payment query to

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verify the caller's payment information. In this step, interactive transaction database 112 makes the query via gateway routers 714 to the appropriate credit approval service, such as authorization server 440. Authorization server 440 can be a credit card authorization service, a debit card service, a traditional ATM type of debit service, or other payment service. The appropriate approval or denial is returned to interactive transaction database 112 via the same path." In the above steps, it is interpreted that the customer's account is charged when the Authorization server 440 approves the payment.)

10. As for **Claim 13**, Bernard et al. teach receiving multimedia material by downloading via said communication network (see col. 3 lines 30-36 "a sample portion of the movie, or an actual preview, is provided to the customer for his or her sampling. Where the customer is connected by a suitable medium (such as the Internet, for example), actual movie clips can be provided." When sample portion of movie is provided to a user via the Internet, it is interpreted that the multimedia material is downloaded to the user.).

11. As for **Claim 14**, Bernard et al. teach receiving multimedia material includes receiving non-digital media such as audio tape (see col. 13 lines 36-39 "The above description outlined various features and functions of the purchasing system in terms of an embodiment where the product offered is music (albums, CDS, cassettes, etc.)." The multimedia material is audio music and it is received in non-digital media such as audio tape (cassettes)).

12. As for **Claim 17**, Bernard et al. teach comprising providing advertising material to purchasers over said communication network allowing purchasers to locally market and sell said multimedia material (see col. 3 lines 24-28 "For example, in one embodiment, music, videos, computer software, and other multimedia products are offered for sale by the automated product purchasing system. In this embodiment, users can sample portions of selected titles to determine whether or not it is a product that they would actually like to rent or purchase." The sample multimedia presented to the users is interpreted to be advertising material provided to users).

13. As for **Claim 18**, Bernard et al. teach querying said customer to stimulate the sending of data from said customer and recording said data into a database (see col. 4 line 67 – col. 5 line 5 "The system comprises an interface unit which provides the front-end interface to the customers, an interactive transaction database for storing important information regarding the system and its customers, and, optionally, a customer service center for handling special situations which may arise from time to time with customers." And col. 5 lines 50-57 "In situations where a membership profile is established for that customer and all the payment and delivery information is on file, the customer has to do no more than verify the purchase. In other situations where information needs to be provided, this information is provided by the customer to the automated product purchasing system to complete the transaction and finalize the sale." When a customer's membership profile is not established and the customer needs to provide

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information to the automated product purchasing system, it is interpreted that the customer is queried in order to provide important customer information to be stored in the system database.)

14. As for **Claim 19**, Bernard et al. teach providing marketing data recorded in said database to customers in response to a query from a customer (see col.5 lines 16-22 “The system stores important information such as customer information, order information pertaining to the customer's order, and product information. The product information can include texts describing the products and their features, and samples of the products such as music samples, video samples, and other samples as appropriate depending on the product.” It is interpreted that the samples are provided to the user when a customer requests for samples. Therefore, it is interpreted that the marketing data (samples of music and video) which are stored are provided to customers in response to a query from the customers.).

15. As for **Claim 20**, Bernard et al. teach providing marketing data based upon actual users of said server system (see col. 3 lines 14-18 “According to the invention, customers access the automated system and browse through the selections offered. This access can be achieved by any remote communications medium such as the telephone, a direct data link, a network connection (e.g., the Internet), and other communications means.” The customers that access the automated system are

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interpreted to be actual users to the server system because the customers are using the server system as they are accessing it).

16. As for **Claim 21**, Bernard et al. teach a method of marketing and distributing multimedia (see col. 3 lines 8-29 "The present invention is directed toward an automated product purchasing and previewing system which allows customers to shop for and purchase products via a remote communications medium in an automated fashion . . . For example, in one embodiment, music, videos, computer software, and other multimedia products are offered for sale by the automated product purchasing system."), the method comprising:

a. receiving multimedia material from a producer or owner of said material (see col. 3 lines 30-32 "where the product is movies, the purchaser can select a particular movie to preview before actually purchasing or renting the movie.");

b. storing said material on a computer readable storage medium (see col. 5 lines 16-22 "The system stores important information such as customer information, order information pertaining to the customer's order, and product information. The product information can include texts describing the products and their features, and **samples of the products such as music samples, video samples, and other samples as appropriate depending on the product.**" It is interpreted that these multimedia material are stored on a computer readable storage medium);

c. providing a server system accessible over a communication network, said server system accessing data from said computer readable storage medium for transfer

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over said communication network (see col. 3 lines 14-18 "According to the invention, customers access the automated system and browse through the selections offered. This access can be achieved by any remote communications medium such as the telephone, a direct data link, a network connection (e.g., the Internet), and other communications means." The limitation of the server system is met by the automated system that uses a network connection such as the Internet to access samples of multimedia data to transfer to potential customers.);

d. providing samples over said server system of said multimedia material to potential purchasers (see col. 3 lines 26-28 "users can sample portions of selected titles to determine whether or not it is a product that they would actually like to rent or purchase.");

e. downloading upon request over said server system said multimedia material (see col. 3 lines 30-36 "a sample portion of the movie, or an actual preview, is provided to the customer for his or her sampling. Where the customer is connected by a suitable medium (such as the Internet, for example), actual movie clips can be provided.");

f. querying said customer to stimulate the sending of data from said customer (col. 5 lines 50-57 "In situations where a membership profile is established for that customer and all the payment and delivery information is on file, the customer has to do no more than verify the purchase. In other situations where information needs to be provided, this information is provided by the customer to the automated product purchasing system to complete the transaction and finalize the sale." When a customer's membership profile is not established and the customer needs to provide

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information to the automated product purchasing system, it is interpreted that the customer is queried in order to provide important customer information to be stored in the system database.); and

g. recording said data into a database (see col. 4 line 67 – col. 5 line 5 “The system comprises an interface unit which provides the front-end interface to the customers, an interactive transaction database for storing important information regarding the system and its customers, and, optionally, a customer service center for handling special situations which may arise from time to time with customers.” It is interpreted that the information provided by the customer is stored in the database so the membership profile for a user is established).

17. As for **Claim 22**, Bernard et al. teach providing marketing data recorded in said database to customers in response to a query from a customer (see col.5 lines 16-22 “The system stores important information such as customer information, order information pertaining to the customer's order, and product information. The product information can include texts describing the products and their features, and samples of the products such as music samples, video samples, and other samples as appropriate depending on the product.” It is interpreted that the samples are provided to the user when a customer requests for samples. Therefore, it is interpreted that the marketing data (samples of music and video) which are stored are provided to customers in response to a query from the customers.).

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 11 is rejected under 35 U.S.C. 102(b) as being anticipated by Abecassis (U.S. Patent # 6,038,367)

18. As for **Claim 11**, Abecassis teaches a system for distributing multimedia (see fig. 9 units 913 video provider system and unit 936 RAViT, col. 32 lines 22-38 “A video provider system, for example 911, comprises: i) communications technologies 921 for establishing a plurality of video and communications streams to a plurality of RAViTs 931-936;”) comprising:

a. a first central processing unit (see col. 32 lines 26-31 “ii) processing hardware and software 922 for retrieving from a RAViT a subscriber's video preferences and content preferences, and for automatically selecting, for each of the participating subscribers, a content-on-demand video responsive to the video and content preferences;”);

b. a first memory associated with said first central processing unit (see col. 32 lines 31-36 “iii) mass storage random access memory devices 923 for storing a videobase comprising a plurality of any combination of conventional programs and

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interactive games and services, variable content videos, and content-on-demand video including the corresponding video maps;”);

c. a communications network accessible by said first central processing unit for transferring data into and out of said first memory (It is interpreted that there is inherently going to be a communication network between unit 922 and unit 923 to transfer data);

d. an input device connected for data transfer to said first central processing unit, said input device receiving multimedia and transferring it into said first memory via said central processing unit (see fig. 9 unit 905 Satellite col. 32 lines 1-5 “Shown are wired and non-wired video transmission infrastructures based on the use of one or a hybrid combination of the following: fiber optic 901, coaxial cable 902, twisted copper wire 903, microwave and radio 904, and satellite 905.” Satellite 905 is interpreted to be an input device connected for data transfer to said first central processing unit);

e. a second central processing unit (see fig. 9 unit 936 RAViT and fig. 5 unit 511 System CPU. System CUP 511 is interpreted to be the second central processing unit);

f. a second memory, said second memory associated with said second central processing unit with said communications network being accessible by said second central processing unit for transferring data into and out of said second memory (see fig. 5 unit 512 Memory, col. 20 lines 44-48 “RAViT further comprises computing elements and video processing elements readily found in multimedia devices and video electronic systems such as, for example and not limited thereto: i) microprocessor 511; ii) memory units 512; iii) video processor 513; and iv) video buffers 514.”); and

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g. a digital feature film projector in data communication with said second central processing unit for displaying a feature film onto a screen for presentation to an audience, said feature film stored in digital form in said second memory after being transferred via said communications network from said first memory (see fig. 9 unit 959 projector, col. 33 lines 29-40 "In commercial applications, such as a theater, a RAViT 936 may support a high definition projector 959 such as for example Hughes/JVC Electronic HDTV projector." It is interpreted that the data that is initially stored in the server provider is transmitted via a communication network to the second processing unit of the RAViT, which is stored in a second memory of RAViT and eventually transmitted to projector 959 for display to an audience).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **4** and **15-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernard et al. (U.S. Patent # 5,918,213).

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19. As for **Claim 4**, Bernard et al. do not expressly teaches the step of digitizing said non-digital media for storage on said computer readable storage medium. However, Official Notice (MPEP § 2144.03) is taken that both the concepts and advantages of digitizing non-digital media are well known and expected in the art. At the time the invention was made, it would have been obvious to one with ordinary skill in the art to have digitized said non-digital media for storage on a computer readable storage medium to take advantage of a digital multimedia data such as achieving a better signal quality and compression in order to save storage space.

20. As for **Claim 15**, Bernard et al. do not expressly teach said follow-up is implemented by sending an e-mail to said customer. However, Official Notice (MPEP § 2144.03) is taken that both the concepts and advantages of using e-mail in business transaction are well known and expected in the art. At the time the invention was made, it would have been obvious to one with ordinary skill in the art to have used email to follow up with the customer because email is a fast and cost effective method of communication when Internet service is available.

21. As for **Claim 16**, Bernard et al. do not expressly teach said follow-up is implemented by consulting publicly reported data respecting said customer. However, Official Notice (MPEP § 2144.03) is taken that both the concepts and advantages of using publicly reported data are well known and expected in the art. At the time the invention was made, it would have been obvious to one with ordinary skill in the art to

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have implemented a follow up by consulting publicly reported data respecting said customer, because the customer's publicly listed telephone number or address publicly reported data (such as a listed phone number or mailing address) are reliable means of communication in a business transaction.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (U.S. Patent # 6,038,367) in view of Sood (U.S. Patent # 6,233,523).

22. As for **Claim 10**, Abecassis teaches a method of distributing movies (see Abecassis col. 2 lines 30-36 "it is an object of the systems and methods herein disclosed to deliver to a viewer an automatically customized version of a single edition of the viewer-selected video responsive to the viewer's content preferences for the level of detail and explicitness in a range of content categories.") comprising:

c. transferring a digital format to a theater via a communications network and storing said digital format on a computer readable memory located at said theater (see Abecassis fig. 5 unit 500 RAViT and unit 503, 504, and 505 storage systems and col. 18 lines 41-67 "The viewer interface above detailed resides in a viewer's Random Access Video Technologies device ("RAViT"). A RAViT permits the viewer to retrieve content-on-demand videos and other services from media locally accessible or within the RAViT, or from a remote video services provider . . . A fully featured RAViT 500 comprises . . . iii) fixed storage sub-system 503; iv) removable storage sub-system 504;

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v) compact portable storage sub-system 505;"RAViT is interpreted to be a theater that receives digital movies for projection to users. Storage systems 503-505 are interpreted to be storage systems for the theater); and

d. projecting said digital format using a digital projector onto a screen for display to an audience (see Abecassis fig. 9 unit 959 Projector and col. 33 lines 29-39 "In commercial applications, such as a theater, a RAViT 936 may support a high definition projector 959 such as for example Hughes/JVC Electronic HDTV projector." Figure 9 unit 959 clearly shows projecting a video on a digital projector onto a screen for display to an audience). However, Abecassis does not expressly teach:

a. receiving a movie on celluloid; and

b. scanning said movie converting it into a digital format, storing said digital format in a computer readable memory.

In the same field of endeavor, Sood teaches a method for converting data on a celluloid into a digital format. See Sood col. 3 lines 40-45 "Film cameras or still cameras may be used. Although conventional cameras based on celluloid film may be used in principle, the products of which are digitized at a later point of time, digital video cameras are preferred for two reasons. Firstly, it is more beneficial to take digital pictures directly and secondly, their data carriers may be reused for other trips." In light of the teaching of Sood, it would have been obvious to one of ordinary skill in the art to modify the teaching of Abecassis to include receiving a movie in celluloid and converting the data into a digital format to store in a computer readable memory. One of ordinary skill in the art at the time the invention was made would have been

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motivated to do this in order to transmit a movie that is originally captured on a celluloid to the RAViT theater system of Abecassis in a customized and edited version (see Abecassis col. 2 lines 30-36 "it is an object of the systems and methods herein disclosed to deliver to a viewer an automatically customized version of a single edition of the viewer-selected video responsive to the viewer's content preferences for the level of detail and explicitness in a range of content categories.")

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (U.S. Patent # 6,038,367) in view of Bernard et al. (U.S. Patent # 5,918,213).

23. As for **Claim 23**, the limitations of Claim 23 fall within the limitations of Claim 11. Claim 23 is analyzed and rejected as previously show on Claim 11. Claim 23 further requires the limitation of having a third memory domain for receiving market data in response to an order for said multimedia product. Abecassis does not expressly teach having a third memory domain for receiving market data in response to an order for said multimedia product. However, in the same field of endeavor, Bernard et al. teach storing market data in response to an order for a multimedia product. See Bernard et al. col. 4 line 67 – col. 5 line 5 "The system comprises an interface unit which provides the front-end interface to the customers, an interactive transaction database for storing important information regarding the system and its customers, and, optionally, a customer service center for handling special situations which may arise from time to time with customers." In light of the teaching of Bernard et al., it would have been

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obvious to one of ordinary skill in the art at the time the invention was made to have modified the teaching of Abecassis to include a third memory domain for receiving and storing important market data (such as vital customer information) in response to an order for a multimedia product. One of ordinary skill in the art would have been motivated to have a third memory domain for storing market data in order to keep a profile on the customers so the customer's personal preference can be stored in memory and customers do not have to enter personal information again.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirubel Aklilu whose telephone number is 571-272-7342. The examiner can normally be reached on 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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NGOC-YEN VU
PRIMARY EXAMINER